GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – M.A. & U.D. Department – Allegations of non-collection of penal interest on belated payment of monthly installments of Market Fee in respect of market area of erstwhile Gajuwaka Municipality and non executing the lease agreement with the lessee during 2003-04 - Disciplinary Proceedings instituted against Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.), erstwhile Gajuwaka Municipality - Punishment imposed - Appeal filed – Appeal allowed partially – Reduction of the punishment of '10% cut in pension permanently' already imposed to that of "5% cut in pension for a period of five (5) years" – Orders - Issued

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.I) DEPARTMENT

G.O.MS.No. 235 **Dated: 23-07-2018**

Read the following:

1. From G.A. (V&E) Dept. Vigilance Report No.123 (C.No.1730/V&E/ D1/05), dt: 08.08.2005.
2. G.O.Rt.No.1090, Municipal Administration & Urban Development (E2) Department, dated: 17.08.2012.
3. From Sri S.M.H.Bazan, the then Municipal Commissioner, erstwhile Gajuwaka Municipality (now retired as Municipal Regional Director) Appeal Petition, dated 10.01.2017.
4. From Sri S.M.H.Bazan, the then Municipal Commissioner, erstwhile Gajuwaka Municipality (now retired as Municipal Regional Director) Appeal Petition, dated:02.04.2017 received through CMP. No.1383/Spl.CS/2017, dt: 16.12.2017 of Spl. Chief Secretary to C.M.
5. Govt., Memo.No.21778/Vig.I/2005, MA&UD Dept., Dt: 19.01.2018

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O R D E R:

Whereas, based on the recommendations of G.A.(V&E) Department in the reference 1st read above, Disciplinary Proceedings have been instituted against Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.), erstwhile Gajuwaka Municipality on the alleged irregularities in non-collection of penal interest on belated payment of monthly installments of Market Fee in respect of market area of erstwhile Gajuwaka Municipality and non executing the lease agreement with the lessee during 2003-04 in erstwhile Gajuwaka Municipality.

2. Whereas, Government after following due procedure, orders were issued, vide reference 2nd read above, imposing a punishment of 10% cut in pension permanently against the charged officer Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.), erstwhile Gajuwaka Municipality.

3. Aggrieved by the above punishment orders, Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.,), erstwhile Gajuwaka Municipality has filed Appeal Petitions before the Government vide reference 3rd and 4th read above, requesting to revise the punishment orders imposed against him. The matter has been examined in detail and a personal hearing was conducted on 25.01.2018. During the personal hearing, the charged officer

(PTO)

Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.,), erstwhile Gajuwaka Municipality has submitted a representation, stating that the Enquiry Officer enquired into matter and submitted findings that as per the provisions of rules, the charges are held proved but as per the prevailing circumstances and exemption given by the Government and to avoid heavy financial loss to the Municipality, the actions of CO is justifiable. It is no where held proved that the financial loss of Rs.7.86 lakhs is during the tenure of CO. He has therefore requested to revise the punishment orders imposed against him.

4. Government after careful examination of the matter, have decided to allow the Appeal Petition of Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.,), erstwhile Gajuwaka Municipality partially, and to reduce the punishment of '10% cut in pension permanently' already imposed to that of "5% cut in pension for a period of five (5) years" against the charged officer Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.,), erstwhile Gajuwaka Municipality. Accordingly, Government hereby order to reduce the punishment of 10% cut in pension permanently' already imposed to that of "5% cut in pension for a period of five (5) years" against the charged officer Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.,), erstwhile Gajuwaka Municipality.

5. The Director of Municipal Administration, A.P., Guntur shall take further necessary action in the matter, accordingly.

6. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S.M.H.Bazan, the then Municipal Commissioner (Retd.) of erstwhile Gajuwaka Municipality **through the** Director of Municipal Administration, AP, Guntur.
The Director of Municipal Administration, AP, Guntur

Copy to :

The Principal Accountant General (A&E), A.P, Hyderabad.
The G.A.(V&E) Department, AP, Vijayawada
The Secretary to A.P. Vigilance Commission, AP Secretariat, Velagapudi.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER